

Group Art Unit: 1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re the Application of

Frederic BESEME et al.

Application No.: 10/717,580 Examiner: L. MCGILLEM

Filed: November 21, 2003 Docket No.: 105045.01

For: ENDOGENETIC RETROVIRAL SEQUENCES, ASSOCIATED WITH

AUTOIMMUNE DISEASES OR WITH PREGNANCY DISORDERS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the September 23, 2005, Restriction Requirement, Applicants provisionally elect **Group 11**, claims 1-10, 12-17, 20, 25-27, and 31-35, with traverse.

It is respectfully submitted that the subject matter of all claims 1-35 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully sybrylitted,

Registration No. 30,024

Philip A. Caramanica, Jr. Registration No. 51,528

WPB:PAC

Date: October 24, 2005

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